WRITTEN ANSWERS TO STARRED QUESTIONS

Prior approval to initiate case against senior officials

†*202. SHRI SHIVANAND TIWARI:
SHRI RAJ MOHINDER SINGH MAJITHA:
Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that now prior approval is not required to initiate a case against officials on higher posts in administration;

(b) if so, the facts in this regard; and

(c) the number of cases under consideration upto October, 2009 which are to be given approval?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI PRITHVIRAJ CHAVAN): (a) to (c): A statement is laid on the Table of the Sabha.

Statement

(a) and (b) No, Sir. Prior approval under Section 6A of the Delhi Special Police Establishment Act, 1946 is required to conduct inquiry or investigation against officers of Joint Secretary and above in the Central Government. However, such approval is not necessary in cases involving arrest of a person on the spot on the charge of accepting illegal gratification. Section 19(1) of the Prevention of Corruption Act, 1988 and Section 197(1) of the Criminal Procedure Code, 1973, provide for previous sanction for prosecution of public servant.

(c) As per information received from the CBI, the number of cases seeking prior approval to conduct inquiry or investigation against senior officials on higher posts under consideration upto October, 2009 is 9. A total of 162 cases are pending for prosecution sanction as on 31.10.2009; 142 with Central Government and 23 with State Governments. In 3 cases prosecution sanction is required from both the Central and State Governments. Of these 162 cases, 90 cases are pending for less than three months.

Moon mission

*208. SHRI RAJKUMAR DHOOT: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that after the spacecraft Chandrayaan's discovery of water in some form on the surface of moon, NASA's Mission Attack Moon's spacecraft LCROSS was allowed to be crashed into the Moon on 9th October, 2009 and the dust and other particles unleashed by the collision were collected by LCROSS, in an analyzer after four minutes;

(b) if so, the results of the analysis and whether moon could be considered to be habitable in the light of the Chandrayaan-I/ LCROSS Missions; and

---

†Original notice of the question was received in Hindi